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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/903,918	07/12/2001	Terry Covert	COVERT001	1510
7590 05/19/2006 EUGNE R. QUINN, JR. 4030 COOL WATER COURT WINTER PARK, FL 32792			EXAMINER COBANOGLU, DILEK B	
			ART UNIT 3626	PAPER NUMBER

DATE MAILED: 05/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/903,918

Applicant(s)

COVERT, TERRY

Examiner

Dilek B. Cobanoglu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 and 19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 and 19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Notice to Applicant

1. This communication is in response to the amendment filed 2/27/2006. Claims 1-14, and 19 continue pending. Claims 1-14 have been amended. The Applicant has canceled claims 15-18. Claim 19 is a new claim.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-14 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luchs et al. (U.S. Patent No. 4,831,526) in view of Lynch et al. (U.S. Patent No. 6,901,384 B2).

A. As per claim 1, Luchs et al. discloses a method for pricing and selling Family Protector Insurance (Luchs et al.; abstract).

Amended claim 1 now recites "receiving a copy of court order relative to the purposed purchase of Family Protector Insurance".

Luchs et al. fails to expressly teach the receiving a copy of court order, per se, since it appears that Luchs et al. is more directed to receiving information relative to the proposed purchase of Family Protector

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Insurance or insurance (Luchs et al.; abstract and col. 3, lines 9-12 and 25-29). However, this feature is well known in the art, as evidenced by Lynch et al.

In particular, Lynch et al. discloses a receiving a copy of court order relative to the proposed purchase of Family Protector Insurance (Lynch et al.; col. 24, lines 40-44).

It would have been obvious to one having ordinary skill in the art at the time of the invention to have combined the receiving information relative to the proposed purchase of Family Protector Insurance with the receiving a copy of court order relative to the proposed purchase of Family Protector Insurance with the motivation of the offeror or insurer to determine the stipulations that apply to the customer (Lynch et al.; col. 24, lines 12-16).

The rest of the claim 1 is rejected with the same reasons provided in the previous Office Action.

B. As per claim 2, Luchs et al. and Lynch et al. disclose the method of claim 1, wherein the step of receiving information includes receiving name (Luchs et al.; col.3, lines 21-29) and social security number.

Luchs et al. fails to teach to receive the social security number, per se, however, Luchs et al. teaches to obtain any information necessary in providing a policy and premium quotation (Luchs et al.; col. 3, lines 17-29) such as driver's license number (Luchs et al.; table).

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One having ordinary skill in the art at the time of the invention would have found it an obvious that social security number is one of the information necessary in providing a policy and premium quotation.

C. As per claim 3, Luchs et al. and Lynch et al. disclose the method of claim 1.

Luchs et al. fails to expressly teach the step of receiving a copy of a court order including receiving a copy of the court ordered divorce decree, per se, since it appears that Luchs et al. is more directed to obtain information such as insured's name, address and any other information necessary (Luchs et al.; col.3, lines 25-29). However, this feature is well known in the art, as evidenced by Lynch et al.

In particular, Lynch et al. discloses step of receiving a copy of a court order including receiving a copy of the court ordered divorce decree (Lynch et al.; col.24, lines 40-44).

It would have been obvious to one having ordinary skill in the art at the time of the invention to have combined the obtaining information such as insured's name, address and any other information necessary with requiring the customer to provide a copy of the divorce decree with the motivation of the offeror or insurer to determine the stipulations that apply to the customer (Lynch et al.; col. 24, lines 12-16).

D. As per claim 4, Luchs et al. and Lynch et al. disclose the method of claim 1.

Luchs et al. fails to expressly teach to the step of receiving a copy of a court order including receiving a copy of the court order containing the

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child support award, per se, since it appears that Luchs et al. is more directed to obtain information such as insured's name, address and any other information necessary (Luchs et al.; col.3, lines 25-29). However, this feature is well known in the art, as evidenced by Lynch et al.

In particular, Lynch et al. discloses the step of receiving a copy of a court order including receiving a copy of the court order containing the child support award (Lynch et al.; col.24, lines 40-44 and Lynch et al.; table 22).

It would have been obvious to one having ordinary skill in the art at the time of the invention to have combined the obtaining information such as insured's name, address and any other information necessary with step of receiving a copy of a court order including receiving a copy of the court order containing the child support award with the motivation of the offeror or insurer to determine the stipulations that apply to the customer (Lynch et al.; col. 24, lines 12-16).

E. As per claim 5, Luchs et al. and Lynch et al. disclose the method of claim 1, wherein the step of receiving a copy of a court order includes receiving a copy of the court ordered alimony award.

The obviousness of modifying the teaching of Luchs et al. to include receiving a copy of the court ordered alimony award (as taught by Lynch et al.) is as addressed above in the rejection of claim 4 and incorporated herein.

F. As per claim 19, Luchs et al. and Lynch et al. disclose a method for pricing and selling Family Protector Insurance comprising:

- i. Receiving a copy of a court ordered divorce decree;
- ii. Receiving a copy of a court ordered child support award;
- iii. Receiving a copy of a court ordered alimony award;

These sections of this claim are rejected for the same reasons of the rejections of claims 3,4 and 5 respectively and incorporated herein.

- iv. Determining whether to issue Family Protector Insurance (Luchs et al.; col.3, lines 17-38);
- v. Determining the price of the Family Protector Insurance (Luchs et al.; col.3, lines 17-38); and
- vi. Determining the price and policy terms to the party interested in purchasing Family Protector Insurance (Luchs et al.; col.3, lines 17-38)

4. Claims 6-14 are rejected under 35 U.S.C. § 103 as being unpatentable over Luchs et al. (U.S. Patent No. 4,831,526) in view of Lynch et al. (U.S. Patent No. 6,901,384 B2) for the same reasons set forth in the previous Office Action (Page numbers 3-4). Applicant's arguments with respect to the aforementioned rejection are addressed below in the section entitled "Response to Argument".

Response to Arguments

5. Applicant's arguments filed 2/27/2006 have been fully considered but they are not deemed to be persuasive. Applicant's arguments will be addressed below in the order in which they appear.

A. In response to Applicant's first argument, amended claim 1, which now discloses "a method for pricing and selling Family Protector Insurance comprising receiving a copy of a court order" has been overcome by using reference Lynch et al. (U.S. Patent No. 6,901,384). Therefore claims 1-14 and 19 are now rejected under 35 U.S.C. § 103 as being unpatentable over Luchs et al. (U.S. Patent No. 4,831,526) in view of Lynch et al. (U.S. Patent No. 6,901,384 B2).

B. In response to Applicant's second argument, the Applicant is claiming that claim 2 is now allowable as a result of the amendment to Claim 1, from which it depends. Examiner respectfully emphasizes that claim 1 through 14 and claim 19 are now rejected under 35 U.S.C. § 103 as being unpatentable over Luchs et al. (U.S. Patent No. 4,831,526) in view of Lynch et al. (U.S. Patent No. 6,901,384 B2).

C. In response to Applicant's third argument, the Examiner respectfully emphasizes that the Lynch et al. reference is a continuation in part of the application of a patent, 6,823,319, which has a filing date of June 3, 2000 and this particular patent contains all the citations used for the rejection of this application (Lynch et al, US Patent No. 6,823,319; col. 17, lines 50-54 and tables 11, 13); therefore the reference is a prior art for this application.

D. In response to Applicant's forth argument, the Applicant argues that the Lynch et al. reference discloses "a system and method for automated process of deal structuring, wherein the deal structuring disclosed is acquiring a loan", which is substantially different than acquiring Family Protector Insurance. The Examiner respectfully would like to point out that the Lynch et al. reference states on col. 2, lines 61-65 that "although certain examples of the present invention are discussed with specific reference to loans, it will be apparent to those skilled in the art that the present invention can be used for all deal types, including, but not limited to, insurance, for example".

E. In response to Applicant's fifth argument, the Applicant argues that the Lynch et al. reference specifically states that a divorce decree would only need to be provided "if the customer is recently divorced" (Lynch et al.; col. 24, lines 40-45). Examiner respectfully would like to point out that, according to the specification of this application, on page 13, lines 11-12 and lines 17-19 states that "the transaction could be initiated at the time the divorce is finalized" has the same meaning of "requiring the customer to provide a copy of the divorce decree if the

customer is recently divorced", because it is still after the divorce and still at the time that the individual would need such a coverage.

F. In response to Applicant's sixth argument, claims 6-14 are now rejected under 35 U.S.C. § 103 as being unpatentable over Luchs et al. (U.S. Patent No. 4,831,526) in view of Lynch et al. (U.S. Patent No. 6,901,384 B2) because of claim 1 being amended and claims 1-14 are being dependent on claim 1.

G. Claims 15-18 have been cancelled; therefore the Applicant is not arguing any limitations they provided in the first application.

H. Claim 19 is a new claim and rejected under 35 U.S.C. § 103 as being unpatentable over Luchs et al. (U.S. Patent No. 4,831,526) in view of Lynch et al. (U.S. Patent No. 6,901,384 B2) as described above.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

7. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dilek B. Cobanoglu whose telephone number is 571-272-8295. The examiner can normally be reached on 8-4:30.

9. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on 571-272-6776. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

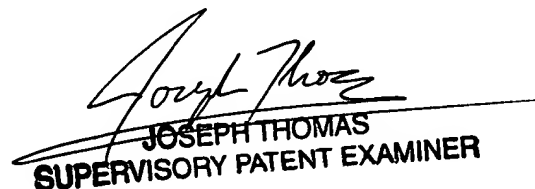
10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DBC

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05/10/2006


JOSEPH THOMAS
SUPERVISORY PATENT EXAMINER